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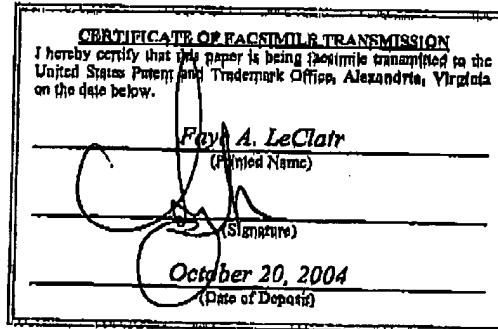
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TO:	PHONE #:	FAX #:
William E. Tapolcai U.S. Patent & Trademark Office	(703) 308-2640	(703) 872-9306

From : Joseph N. Ziebert
 Email Address : jziebert@foley.com
 Sender's Direct Dial : 414.297.5768
 Date : October 20, 2004
 Client/Matter No : 046948-0113 (fka 071402-0115)
 User ID No : 833

MESSAGE:

This is regarding Application No. 10/686,017.



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OCT 20 2004

Atty. Dkt. No. 046948-0113 (fka 071402-0115)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Harold F. Ross

Title: ICE CREAM MACHINE WITH
SPECIALIZED MOTOR

Appl. No.: 10/686,017

Filing Date: 10/15/2003

Examiner: William E. Tapolcai

Art Unit: 3744

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.

Faye A. LeClair
(Printed Name)

(Signature)

October 20, 2004
(Date of Deposit)

AMENDMENT TRANSMITTAL

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.
- Assertion of Small Entity status is enclosed.
- The fee required for additional claims is calculated below:

	Claims As Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	20	-	20 = 0	x \$18.00 =	\$0.00
Independent Claims:	4	-	4 = 0	x \$88.00 =	\$0.00
First presentation of any Multiple Dependent Claims:		+ \$300.00 =			\$0.00

Atty. Dkt. No. 046948-0113 (fka 071402-0115)

CLAIMS FEE TOTAL =	\$0.00
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[] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> [] Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/> [] Extension for response filed within the second month:	\$430.00	\$0.00
<input type="checkbox"/> [] Extension for response filed within the third month:	\$980.00	\$0.00
<input type="checkbox"/> [] Extension for response filed within the fourth month:	\$1,530.00	\$0.00
<input type="checkbox"/> [] Extension for response filed within the fifth month:	\$2,080.00	\$0.00
EXTENSION FEE TOTAL:		
<input type="checkbox"/> [] Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		
<input checked="" type="checkbox"/> [X] Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:		
		\$0.00

[] Please charge Deposit Account No. 06-1447 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.

[] A check in the amount of \$0.00 is enclosed.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Atty. Dkt. No. 046948-0113 (fka 071402-0115)

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 10-20-04

By Joseph N. Ziebert

Joseph N. Ziebert
Attorney for Applicant
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OCT 20 2004

Atty. Dkt. No. 046948-0113 (fka 071402-0115)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Harold F. Ross

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<i>Faye A. LeClair</i> (Printed Name)	
<i>[Signature]</i> (Signature)	
October 20, 2004 (Date of Deposit)	

AMENDMENT AND REPLY UNDER 37 CFR 1.111

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

This communication is responsive to the Non-Final Office Action dated September 20, 2004, concerning the above-referenced patent application.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this document.

Remarks/Arguments begin on page 5 of this document.

Please amend the application as follows:

001.1709483.1

Application No. 10/686,017

PAGE 5/10 * RCVD AT 10/20/2004 5:06:35 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/4 * DNI:8729306 * CSID:4143197016 * DURATION (mm:ss):02:30